

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Benson McGann

Serial No.: 10/501,972

Filed: July 15, 2004

International Filing Date: January 16, 2003

For: ORTHODONTIC APPLIANCES  
SYSTEMS, METHODS AND TOOLS

Patent Examiner:

Group Art Unit:

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 mailed April 8, 2005, enclosed is the executed oath for filing in the above-identified case. Also, attached is a copy of the 371 Formalities Letter.

Please charge the surcharge of \$65.00 for late filing of this oath to our deposit account No. 19-2814.

If there are any questions with regard to this matter, please do not hesitate to contact the undersigned attorney.

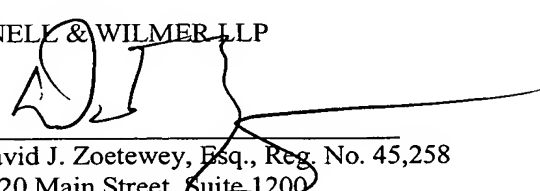
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on April 19, 2005 by: Rachel Carter

  
Signature

Date of Signature: April 19, 2005

Very truly yours,

SNELL &amp; WILMER LLP

  
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949/253-4904  
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Rec'd PCT/PTO 22 APR 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/501,972                  | Benson McGann         | 45867-0300       |

INTERNATIONAL APPLICATION NO.

PCT/US03/01587

I.A. FILING DATE

PRIORITY DATE

01/16/2003

01/16/2002

21611  
 SNELL & WILMER LLP  
 1920 MAIN STREET  
 SUITE 1200  
 IRVINE, CA 92614-7230

CONFIRMATION NO. 8451

371 FORMALITIES LETTER



\*OC000000015327646\*

Date Mailed: 04/08/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 07/15/2004
- Copy of the International Search Report filed on 07/15/2004
- Preliminary Amendments filed on 07/15/2004
- Oath or Declaration filed on 07/15/2004
- Small Entity Statement filed on 07/15/2004
- U.S. Basic National Fees filed on 07/15/2004
- Priority Documents filed on 07/15/2004

RESPONSE 6-8-05  
 ACTION Oath & Fee

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

RECEIVED  
 APR 18 2005  
 SNELL & WILMER

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN 30 (2) MONTHS FROM THE DATE OF THIS NOTICE OR 32 MONTHS FROM THE PRIORITY DATE OF THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DARRELL C COTTMAN

Telephone: (703) 308-9140 EXT 203

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/501,972                  | PCT/US03/01587                | 45867-0300       |

FORM PCT/DO/EO/905 (371 Formalities Notice)